

REMARKS

This Amendment is filed in response to the Office Action mailed on September 20, 2005. All objections and rejections are respectfully traversed.

Claims 1-2, 5-6, 8-11, 13, 15-32, 34-36, and 38-46 are in the application and currently pending.

Claims 40 to 46 are added to better claim the invention.

At page 2 of the Office Action, claims 1, 2, 10, 11, 16, 17, and 18 were rejected under 35 U.S.C §103 as being unpatentable over Awadallah et al., US Patent No. 6,449,251, Issued on September 10, 2002, hereinafter Awdallah, in view of Cisco Systems Inc., VoIP Call Admission Control Using Rsvp, hereinafter "VoIP Call Admission Control".

The present invention, as set forth in representative claim 1 comprises in part:

1. A network device for use in a computer network carrying network traffic, the network device comprising:
 - a traffic scheduler having one or more resources for use in forwarding network traffic received at the device at different rates;
 - a classification engine configured to identify received network traffic based upon predefined criteria; and
 - a resource reservation engine in communicating relationship with the traffic scheduler and the classification engine,
 - wherein, *in response to a first request to reserve resources for a given traffic flow, the resource reservation engine allocates one or more resources to the given traffic flow, but does not make the one or more allocated resources available to the given traffic flow until receiving a message indicating that a destination entity transmitted a response message to a source entity.*

By way of background, Awdallah describes packet mapper having a packet with a header. The header has a network-reserved feature value, which is used by the packet mapper to select the proper size packet streams.

By way of background, “VoIP Call Admission Control” describes a call admission control, where the bandwidth is reserved before the destination rings. “VoIP Call Admission Control” states at page 1, lines 17 to 21:

“The VoIP Call Admission control using RSVP feature synchronizes RSVP signaling H.323 version 2 signaling to ensure that the bandwidth reservation is established in both direction before a call moves to the alerting phase (ringing). This ensures that the called party phone rings only after the resources for the call have been reserved.”

Applicant respectfully urges that Awdallah and “VoIP Call Admission Control” taken singly or in combination do not teach, disclose, or suggest Applicant’s claimed novel *in response to a first request to reserve resources for a given traffic flow, the resource reservation engine allocates one or more resources to the given traffic flow, but does not make the one or more allocated resources available to the given traffic flow until receiving a message indicating that a destination entity transmitted a response message to a source entity*. More specifically, there is no description in Awdallah or in “VoIP Call Admission Control” of not making *the one or more allocated resources available to the given traffic flow until receiving a message indicating that a destination entity transmits a response message to a source entity*. Additionally, “VoIP Call Admission Control” only checks that the bandwidth reservation is completed in both di-

rections before ringing starts. Applicant's claimed invention is waiting for a connection to be established before releasing the reserved bandwidth for voice traffic by waiting until the network device receives a *message indicating that a destination entity transmitted a response message to a source entity*.

Even if combined Awdallah and "VoIP Call Admission Control" would only describe a reservation system for a call with the bandwidth for the call is set up and checked before the destination rings. There is no description of Applicant's claimed novel *the one or more allocated resources available to the given traffic flow until receiving a message indicating that a destination entity transmitted a response message to a source entity*.

Applicant respectfully urges that the Awdallah patent and "VoIP Call Admission Control" either taken singly or taken in any combination are legally insufficient to render the presently claimed invention obvious under 35 U.S.C. § 103 because of the absence in each of the cited art of Applicant's claimed novel *in response to a first request to reserve resources for a given traffic flow, the resource reservation engine allocates one or more resources to the given traffic flow, but does not make the one or more allocated resources available to the given traffic flow until receiving a message indicating that a destination entity transmitted a response message to a source entity*

At page 5 of the Office Action, claims 5, 6, 8, 9, 13, and 15 were rejected under 35 U.S.C. §103 as being unpatentable over Awadallah in view of VoIP, and in further view of Chiu, US Patent No. 6,744,767, hereinafter Chiu.

Applicant respectfully notes that claims 5, 6, 8, 9, 13, and 15 are dependent claims that depend from independent claims which are believed to be in condition for allowance. Accordingly, claims 5, 6, 8, 9, 13, and 15 are believed to be in condition for allowance.

At page 7 of the Office Action, claims 19-29, 31, 32, 35, 36, and 39 were rejected under 35 U.S.C. §103 as being unpatentable over Awadallah in view of VoIP, and in further view of Jappila, RSVP- Nokia Telecommunications, hereinafter Jappila.

The present invention, as set forth in representative claim 19 comprises in part:

19. A router, comprising:

means for receiving a first resource reservation message, the first resource reservation message identifying a traffic flow between two or more entities requesting a reservation of resources;

means for allocating, in response to the first resource reservation message, one or more of the router's resources for use in forwarding network traffic between the two or more entities, but not making available the one or more router's resources to the identified traffic flow;

means for receiving a second resource reservation message; and

means for making available, in response to the second resource reservation message, the one or more router's resources to the identified traffic flow.

By way of background, Jappila describes an RSVP system where resources are only reserved for one direction at a time, so the sender and receiver are logically distinct from each other. To send information back and forth from the sender and receiver, two separate reservation messages must be sent.

Applicant respectfully urges that Awdallah, "VoIP Call Admission Control," and Jappila taken singly or in combination do not teach, disclose, or suggest Applicant's

claimed novel *means for making available, in response to the second resource reservation message, the one or more router's resources to the identified traffic flow*. In further detail, Applicant's *second resource reservation message* completes a connection between a sender and receiver. The *second resource reservation message* is only releasing the reserved bandwidth to use for voice traffic and not creating a second reserved bandwidth as in Jappila. There is no description in Awdallah, "VoIP Call Admission Control," and Jappila of *making available... the one or more router's resources to the identified traffic flow*. VoIP Call Admission Control is only checking there is a proper connection of the reserved bandwidth and Awdallah is only selecting the proper stream for the size reserved in the header packet.

Applicant respectfully urges that the Awdallah patent, "VoIP Call Admission Control," and Jappila either taken singly or taken in any combination are legally insufficient to render the presently claimed invention obvious under 35 U.S.C. § 103 because of the absence in each of the cited art of Applicant's claimed novel *means for making available, in response to the second resource reservation message, the one or more router's resources to the identified traffic flow*

At page 13 of the Office Action, claims 30, 34, and 38 were rejected under 35 U.S.C. §103 as being unpatentable over Awadallah in view of VoIP, and in further view of Jappila, and in further view of Soumiya, US Patent No. 6,760,774, hereinafter Soumiya.

Applicant respectfully notes that claims 30, 34, and 38 are dependent claims that depend from independent claims which are believed to be in condition for allowance. Accordingly, claims 30, 34, and 38 are believed to be in condition for allowance.

All independent claims are believed to be in condition for allowance.

All dependent claims are believed to be dependent from allowable independent claims, and therefore in condition for allowance.

Favorable action is respectfully solicited.

Please charge any additional fee occasioned by this paper to our Deposit Account No. 03-1237.

Respectfully submitted,



Shannen C. Delaney
Reg. No. 51,605
CESARI AND MCKENNA, LLP
88 Black Falcon Avenue
Boston, MA 02210-2414
(617) 951-2500